

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Nicholas BARDEN, *et al.*

Title: MEANS AND METHODS FOR DIAGNOSING AND TREATING
AFFECTIVE DISORDERS

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Examiner: Michael D. Pak

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INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. §1.56

Mail Stop: IDS

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of documents known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 C.F.R. §1.56.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 C.F.R. §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

TIMING OF THE DISCLOSURE

The listed documents are being submitted in compliance with 37 C.F.R. §1.97(d), before payment of the issue fee.

RELEVANCE OF EACH DOCUMENT

Document D2 is an Notice of Reference in the Office Action issued on September 17, 2009, in U.S. Patent Application No. 11/749,629 (a related co-pending application of the present application). Documents D1 was cited in the Notice. Applicants respectfully request that each listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with M.P.E.P. §609.

STATEMENT

The undersigned hereby states in accordance with 37 C.F.R. §1.97(e)(2) that no item of information contained in this information disclosure statement was cited in a communication in a counterpart application and, to the knowledge of the undersigned, after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 C.F.R. §1.56(c) more than three months prior to the filing of the information disclosure statement.

FEE

Fees in the amount of \$180.00 to cover the fee associated with an information disclosure statement under 37 C.F.R. §1.97(d) are being paid by credit card via EFS-Web.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this submission under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by the credit

card payment instructions in EFS-Web being incorrect or absent, resulting in a rejected or incorrect credit card transaction, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Respectfully submitted,

Date November 19, 2009

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